

Article - Health - General

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§20–308.

(a) If, after investigation, the Secretary or a local health officer finds that a nuisance exists that presents an immediate hazard to public health, the Secretary or local health officer may summarily abate the nuisance.

(b) Before summarily abating a nuisance under this section, the Secretary or a local health officer shall:

(1) Serve an abatement order on the owner of the property where the nuisance exists or, if the owner cannot be found, on the occupant or tenant of the property; or

(2) If the property is unoccupied and the owner cannot be found, attach an abatement order to the property where the nuisance exists.

(c) (1) The abatement order shall require and state:

(i) A time period within which the owner, occupant, or tenant of the property where the nuisance exists shall abate the nuisance; and

(ii) The work and materials necessary to abate the nuisance.

(2) The time period within which to abate the nuisance may not be less than 24 hours nor more than 5 days from the date and hour that the order is served.

(d) (1) If the owner, occupant, or tenant served with an abatement order fails to abate or only partially abates the nuisance within the time specified in the order, the Secretary, local health officer, or the representative of the Secretary or local health officer shall:

(i) Enter on the property; and

(ii) At the expense of the owner, occupant, or tenant of the property, do any work and use any materials necessary to abate the nuisance.

(2) The Secretary or local health officer may not expend more than \$5,000 to abate the nuisance.

(e) If, within 60 days after the Secretary or local health officer has completed an abatement under this section, the owner, occupant, or tenant does not pay to the Secretary or local health officer the cost of the abatement, the Secretary or local health officer shall file suit against the owner, occupant, or tenant in the District Court for the county where the nuisance was abated.

(f) A person may not:

(1) Interfere with the Secretary, local health officer, or the representative of the Secretary or local health officer summarily abating a nuisance under this section; or

(2) Refuse to allow the Secretary, local health officer, or the representative of the Secretary or local health officer to enter on any property for the purpose of summarily abating a nuisance under this section.

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